

JUDGE STEIN

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

Citizens United, and
Citizens United Foundation,

Plaintiffs,

vs.

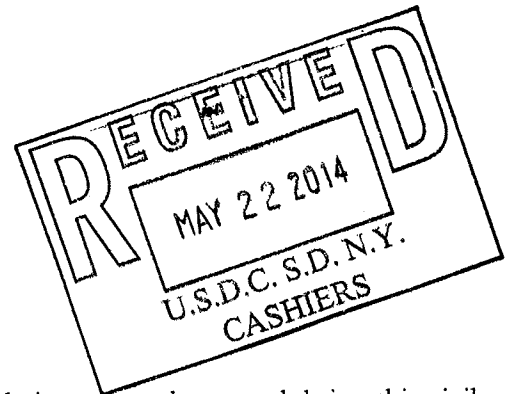
Eric Schneiderman, in his official
capacity as New York Attorney
General,

Defendant.

No.

Judge

14 CV 3703



COMPLAINT

Plaintiffs Citizens United and Citizens United Foundation, through counsel, bring this civil action against Defendant Eric T. Schneiderman in his official capacity as the Attorney General of New York, and alleges as follows:

Summary of Action

1. Plaintiffs bring this action under 42 U.S.C. § 1983, 28 U.S.C. §§ 2201-2202, and § 205 of the New York State Administrative Procedure Act ("SAPA"), to request that this Court declare the Attorney General's policy of interpreting N.Y. Codes R. & Regs. ("NYCRR") tit. 13 § 91.5(c) as requiring Plaintiffs to file copies of Internal Revenue Service ("IRS") Form 990 Schedule B ("Schedule B") prior to engaging in solicitation and advocacy in New York State to be in violation of Plaintiffs' rights under the First and Fourteenth Amendments of the Constitution of the United States, federal law, and the requirements of SAPA.

2. Plaintiffs further seek a preliminary injunction against the enforcement of 13 NYCRR § 91.5(c), as interpreted by the Attorney General, so that they may continue to solicit and accept contributions in connection with discussing issues of immediate public importance in 2014, as well as thereafter.
3. Plaintiffs additionally seek a permanent injunction against the enforcement of 13 NYCRR § 91.5(c), as interpreted by the Attorney General.
4. Under federal law, certain disclosures are required relating to donor information, which is submitted on Schedule B to Form 990. This information is required by law to be maintained by the IRS in a confidential manner, and is subject to stringent privacy protections that preclude its dissemination in the manner now contemplated by the State Attorney General in his interpretation of 13 NYCRR § 91.5(c). Under the challenged provision of New York law, as interpreted by the Attorney General, Plaintiffs are potentially prohibited from soliciting in New York State unless they turn over copies of Schedule B to the Attorney General and his Charities Bureau (the “Bureau”). Turning over confidential donor information to the Attorney General, as contemplated by the Attorney General in his policy relating to 13 NYCRR § 91.5(c), will chill the speech of both Plaintiffs and donors by intruding upon and destroying the promise of confidentiality when donors agree to fund Plaintiffs’ advocacy efforts.
5. As applied to Plaintiffs, 13 NYCRR § 91.5(c), as interpreted by the Attorney General, serves no legitimate government interest and is neither narrowly tailored nor closely drawn to further any possible government interest and therefore violates Plaintiffs’ rights under the First and Fourteenth Amendments to the Constitution of the United States.
6. As applied to Plaintiffs, the Attorney General’s current interpretation of 13 NYCRR § 91.5(c) violates Plaintiffs’ right to due process under the Fourteenth Amendment

because the Attorney General (1) changed his interpretation of the provision without fair notice and/or (2) has failed to enforce his reading of 13 NYCRR § 91.5(c) for years.

7. The Attorney General's current interpretation of 13 NYCRR § 91.5(c) violates SAPA since it was adopted without the formal notice-and-comment rulemaking procedures required by SAPA § 202(a).
8. The Attorney General's current interpretation of 13 NYCRR § 91.5(c) is preempted by federal law, as it seeks to circumvent the federal statutory procedure whereby the Attorney General and other relevant state officials may request tax information necessary to perform their duties "regulating the solicitation or administration of . . . charitable funds," 26 U.S.C. § 6104(c)(3), while maintaining federal law's stringent privacy protections for tax information. *See* 26 U.S.C. § 6103(a).

The Parties

9. Citizens United is a nonstock, nonprofit membership corporation that has tax-exempt status under 26 U.S.C. § 501(c)(4) as an "organization[] not organized for profit but operated exclusively for the promotion of social welfare." It is a Virginia corporation with its principal place of business in Washington, DC. Through a combination of education, advocacy, and grassroots programs, Citizens United seeks to promote the traditional American values of limited government, free enterprise, strong families, and national sovereignty and security. Citizens United is funded primarily by donations from individuals who support its ideological message.
10. Citizens United Foundation is a nonstock, nonprofit corporation that has tax-exempt status under 26 U.S.C. § 501(c)(3) as an organization not organized for profit, "organized and operated exclusively for religious, charitable, scientific, testing for public safety, literary, or educational purposes" It is a Virginia corporation with its principal place

of business in Washington, DC. As a non-partisan, non-profit research and educational foundation, Citizens United Foundation is dedicated to informing the American people about public policy issues which relate to traditional American values, including: the Constitution as the supreme limit on federal power; a strong national defense as the primary role of the federal government; free enterprise as the economic system that has enabled the American people to attain and maintain a historically high standard of living; belief in God and Judeo/Christian values as the fundamental attribute of our way of life; and the recognition of the family as the basic social unit of our society. Citizens United Foundation is funded primarily by donations from individuals who support its ideological message.

11. Eric T. Schneiderman is the elected Attorney General of the State of New York. As Attorney General, his powers and duties include, among other things, the ability to enforce 13 NYCRR § 91.5(c). Under his view of the law, the Attorney General could ban Plaintiffs from soliciting in New York. N.Y. Exec. Law §§ 172-b(5), 177(2)(a). Similarly, the Attorney General may also assess civil penalties against Plaintiffs for a refusal to file Schedule B. *Id.* § 177(2)(b). Mr. Schneiderman acts under color of law and is sued in his official capacity. The New York Charities Bureau is a bureau within the New York Attorney General's Office.

Jurisdiction and Venue

12. This action arises under 42 U.S.C. § 1983, the First and Fourteenth Amendments to the Constitution of the United States, and SAPA § 205.
13. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1343(a).
14. This Court also has jurisdiction pursuant to the Declaratory Judgment Act, codified at 28 U.S.C. §§ 2201-2202.

15. This Court has supplemental jurisdiction to hear and determine all state-law claims raised in this action under 28 U.S.C. § 1367.

16. Venue is proper in this Court under 28 U.S.C. § 1391(b) because Defendant Schneiderman, upon information and belief, resides in this District and Defendant is a resident of the State of New York.

Additional Allegations

17. Plaintiffs have existed as federally registered non-profit organizations for more than twenty years. One of the principal means through which Plaintiffs disseminates their political views is through the production and distribution of feature-length documentary movies shown in theaters around the country, sold on DVD by national retailers, and distributed through providers such as Netflix. Plaintiffs have a variety of different projects that help them uniquely and successfully fulfill their respective missions. For example, Citizens United is well known for producing high-impact, sometimes controversial, but always fact-based documentaries filled with interviews of experts and leaders in their fields. Citizens United television commercials, web advertisements, and documentary films are shown to a wide range of Americans. Distribution channels used include online DVD sales, telephone DVD sales, direct mail DVD sales, television and internet advertising, Netflix, billboard ads, earned media, television appearances, and newspaper op-eds. Each production piece has its own distribution plan that has helped hundreds of thousands of Americans see the important messages. Citizens United Foundation also produces and distributes documentary films, sometimes in conjunction with Citizens United and sometimes on its own. In contrast to the political themes of many of Citizens United's films, Citizens United Foundation's films are educational in character. Many of the organizations' films have won film festival awards, including

Perfect Valor (Best Documentary at the GI Film Festival) and *Ronald Reagan: Rendezvous with Destiny* (Remi Award at Houston Worldfest International Festival). Among the movies Citizens United Foundation has released are *9 Days That Changed the Word* — a documentary concerning Pope John Paul II, and *Rendezvous With Destiny*, a documentary concerning President Ronald Reagan. Among the movies Citizens United has released are *Generation Zero* — a documentary about the 2008-2009 financial crisis, and *Hillary: The Movie*, a biographical documentary about then-Senator Hillary Clinton, the once and potentially future Democratic presidential candidate. Plaintiffs have worked with such noted personalities as Newt and Callista Gingrich, Dick Morris, and Fred Thompson.

18. Citizens United also runs targeted commercials to help fight for the principles of limited government. For example, in Iowa, Citizens United ran commercials advertising its film *Fire from the Heartland*, highlighting principled, conservative, female leaders such as Clare Booth Luce, Phyllis Schlafly, Ann Coulter, Michele Bachmann, and Michelle Malkin.
19. Plaintiffs raise money for these and other projects primarily through donations from ideologically supportive individuals. These individuals value their privacy and donate to Plaintiffs with the understanding that their names and other identifying information will not become public information. *See* Exhibit A, Affidavit of David N. Bossie at ¶¶ 6 – 13 (hereinafter “Bossie Affidavit”), attached hereto as Exhibit A. Plaintiffs, in return, assure all their donors that their names and other identifying information will remain confidential. *Id.* at ¶ 6. Plaintiffs explain to their donors that, although federal law requires them to reveal donors’ names to the Internal Revenue Service (“IRS”), federal law also prevents the IRS from disclosing those names to the public. *Id.*; *see* 26 U.S.C. §§ 6103-6104.

20. It has been Plaintiffs' experience from more than a quarter century of fundraising that, if individuals know that their names could be divulged to the public, they will often refuse to donate. Bossie Affidavit at ¶ 7. This is because Plaintiffs use donors' funds to advocate positions on "hot button" topics such as the place of religion in America and explore the records of prominent individuals like former Senator and Secretary of State Hillary Rodham Clinton. *Id.* These donors reasonably fear public backlash and financial harm should their support of politically contentious and controversial causes become known publicly. *Id.*
21. Plaintiffs' ability to speak is completely dependent on the amount of donations they receive. More money donated directly equates to a greater ability to exercise First Amendment rights and freedoms by engaging in speech on issues of concern to the Plaintiffs and their constituencies. Bossie Affidavit at ¶ 8. Thus, if donors withhold their donations because of fear of being revealed publicly, both those donors' and Plaintiffs' speech is chilled. *Id.*
22. The longer there exists a policy impacting the willingness of donors to provide support and money to Plaintiffs, the greater the impact on Plaintiffs' ability to engage in speech, which impact cannot be reversed. Plaintiffs wish to broadcast their message supporting limited government, greater personal responsibility, and individual freedom. Lost days and opportunities to broadcast their messages are impossible to replace. Bossie Affidavit at ¶ 8.
23. Plaintiffs' public policy goals are national in scope; therefore, their fundraising efforts reach almost all fifty states. New York State, as a home to millions of similarly-minded individuals, is an important fundraising and broadcast venue for Plaintiffs. Bossie Affidavit at ¶ 8. Plaintiffs solicit *via* mail, telephone, online, and in-person. *Id.* As a part

of these solicitations, Plaintiffs also describe their mission, activities, and asks for support for their advocacy, education and research on issues of public concern. *Id.*

24. Plaintiffs are in immediate need of relief from the Attorney General's policy regarding 13 NYCRR § 91.5(c), as Plaintiffs ability to raise funds and communicate within New York regarding important issues of the day has been affected. For example, Plaintiffs wish to continue to solicit funds and ask for support for their follow-up to "Hillary – the Movie." Plaintiffs also wish to communicate within New York regarding problems at the IRS, and Plaintiffs wish to raise funds to increase awareness of such problems, oppose additional regulation and potentially litigate any improper IRS rules, regulations or policies. Plaintiffs also wish to raise funds to combat various actions of the New York Attorney General. Bossie Affidavit at ¶ 18. The Attorney General's new policy has also affected Plaintiffs ability to communicate within New York regarding the policies of the New York Attorney General.

25. As non-profit entities, Plaintiffs each file annually Form 990 with the IRS. In addition to filing Form 990 itself, Plaintiffs also file Schedule B, which lists donors to each organization. Federal law establishes a general rule of non-disclosure of such tax information, including but not limited to Schedule B when filed by nonprofit organizations such as Plaintiffs. 26 U.S.C. §§ 6103(a) & 6104(d)(3)(A). Under federal law, although Schedule B donor information for organizations such as Plaintiffs remains confidential, such donor identity and information does not remain confidential for all filers, specifically those required to file Form 990 PF, applicable to private foundations. *See* 26 U.S.C. §§ 6103(a) & 6104(d)(3)(A).

26. New York State's Charitable Solicitation Law requires all charities to file an annual report with the Bureau. *See* N.Y. Exec. Law § 172-b. Charitable organizations such as Plaintiffs

must submit form CHAR 500 to the Bureau as part of their annual report. 13 NYCRR § 91.5(c)(1). New York requires when filing from CHAR 500, IRS Form 990 be attached. *Id.* at § 91.5(c)(3)(i)(a).

27. Before 2006, New York's regulations explicitly required that certain filers provide, in addition to Form 990 itself, copies of "Schedules A and B and any other schedules or statements" with form CHAR 500. *See* 13 NYCRR § 92.3(b)(2) (2003). This requirement did not include a list of a filer's donors. The current rule, adopted in 2006 pursuant to formal rulemaking procedures, omits all mention of Schedule B and simply requires charitable organization to file "a copy of the complete IRS Form 990, 990-EZ, or 990-PF with schedules." 13 NYCRR § 91.5(c)(3)(i)(a) (2014). To the best of Plaintiff's knowledge and belief, neither they nor any other similarly situated organizations have filed Schedule B.
28. The Attorney General's Bureau understood this 2006 change to be substantive. Beginning in 2006, it no longer required charitable organizations to include a copy of Schedule B with form CHAR 500. At a minimum, charitable organizations that failed to provide a copy of Schedule B did not lose their registration, retained the right to solicit in New York State, and suffered no adverse consequences of any kind.
29. Citizens United, which has registered with the Attorney General every year since at least 1995, was not required to submit Schedule B to maintain its valid registration, that is until now, when the Attorney General changed his policy.
30. Until the change in the Attorney General's policy, Citizens United Foundation, which has registered with the Attorney General every year since at least 1995, was not required to submit Schedule B to maintain its valid registration.

31. For tax year 2011, Plaintiffs, like every previous year, submitted form CHAR 500 without Schedule B attached. However, for the first time and long after it submitted its CHAR 500, Citizens United and Citizens United Foundation each received a “Deficiency Notice” from the Bureau stating that each group must file Schedule B with the Bureau to maintain its registration. *See* Exhibit B (Deficiency Notices). In fact, the notices specifically said that Citizens United and Citizens United Foundation each needed to provide the names of their contributors and amounts contributed. This was Citizens United’s and Citizens United Foundation’s first notification of any requirement that it had to file Schedule B.
32. Despite the change in interpretation of the annual filing requirements, the regulation governing what must accompany form CHAR 500 remains unchanged from its 2006 form. It has not been formally amended through any notice-and-comment procedure. *See* 13 NYCRR § 91.5(c)(3)(i)(a).
33. Plaintiffs have declined to provide a copy of Schedule B to the Attorney General’s Bureau. Indeed, Schedule B explicitly warns nonprofits not to provide the form to states because states “might inadvertently make the schedule available for public inspection.” Plaintiffs have complied with this advice, as disclosure of its donors’ names, addresses, and other identifying information to New York authorities would severely curtail donations to Citizens United and Citizens United Foundation, and thereby chill each group’s speech. *Bossie Affidavit* at ¶¶ 6 – 13.
34. Potential donors have legitimate reasons to fear the release of their identifying information.
35. Because Plaintiffs have refused to submit copies of Schedule B to the Attorney General’s Bureau, they face the loss of their registrations in New York, which would prohibit them

from soliciting funds in New York. N.Y. Exec. Law § 177(2)(a). Plaintiffs also face a potential civil penalty of \$1,000 per violation and up to \$100 per day for noncompliance with the registration requirements, as interpreted by the Attorney General. *Id.* § 177(2)(b).

36. The Attorney General's Bureau continues to insist that Citizen United and Citizens United Foundation turn over Schedule B directly to it despite the fact that New York law does not prevent the Attorney General's Bureau from releasing such highly confidential information to the public. Under longstanding New York precedent, any promise by the Bureau that it will not reveal donor information appears meaningless.
37. Mr. Schneiderman also declines to use the federal statutory mechanism whereby he can request tax information needed for his role "regulating the solicitation or administration of . . . charitable funds" directly from the IRS. *See* 26 U.S.C. § 6104(c)(3). Information requested by this federal statutory process is protected by federal law from unauthorized disclosure. *Id.* § 6103(a). The Attorney General's interpretation would mean, however, that information handed directly to state authorities by a filer, such as a Schedule B if attached to form CHAR 500, is not protected by federal law. *See id.* (protecting only information gained "under . . . section 6104(c)").

FIRST CLAIM FOR RELIEF

Declaration That 13 NYCRR § 91.5(c) as Currently Interpreted by the Attorney General is Unconstitutional Under the First Amendment.

38. Plaintiffs hereby incorporate by reference the allegations set forth in paragraphs 1 through 37 as though fully set forth herein.
39. As applied to charitable organizations that engage in solicitation, advocacy, and informational campaigns, 13 NYCRR § 91.5(c), as currently interpreted by the Attorney General to require the filing of Schedule B with the Bureau, violates the First and

Fourteenth Amendments of the Constitution of the United States because it is neither narrowly tailored to further a compelling governmental interest nor closely drawn to further an important governmental interest, and the underlying statute, N.Y. Ex. Law §§ 172-b.1 & 177.1, as read by the Attorney General, impermissibly confers unbridled discretion with respect to constitutionally protected speech.

40. The application of New York's requirement to file Schedule B to Citizens United and Citizens United Foundation injures each entity by depriving it of donations that it would otherwise receive and use to further its advocacy. This chilling of donations necessarily chills Citizens United's and Citizens United Foundation's speech.
41. Declaring 13 NYCRR § 91.5(c) unconstitutional as applied to charitable organizations that primarily engage in solicitation, advocacy, and informational campaigns would remedy Citizens United's and Citizens United Foundation's injury by protecting donors' privacy, preventing a concomitant decline in donations to Citizens United and Citizens United Foundation, and thereby allowing each group to spread its message of individual liberty and personal responsibility now and in the future.

SECOND CLAIM FOR RELIEF

Declaration That 13 NYCRR § 91.5(c) as Currently Interpreted by the Attorney General Is Unconstitutional Under the Fourteenth Amendment.

42. Plaintiffs incorporate by reference the allegations set forth in paragraphs 1 through 41 as though fully set forth herein.
43. As applied to charitable organizations that engage in solicitation, advocacy, and informational campaigns, 13 NYCRR § 91.5(c), as currently interpreted by the Attorney General to require the filing of Schedule B with the Bureau, violates the Fourteenth Amendment of the Constitution of the United States because it fails to comply with the basic tenants of due process as elucidated by the Supreme Court of the United States.

44. Specifically, 13 NYCRR § 91.5(c), as currently interpreted by the Attorney General, violates Citizens United's and Citizens United Foundation's due process rights by (1) changing policy regarding the annual filing requirements without fair notice and/or (2) enforcing a requirement that Schedule B be filed annually after years of failing to enforce such a requirement and without adequate procedures intended to address whether such changes are either appropriate, necessary, or even reasonable, or constitutional, particularly in light of the deleterious impact on the constitutional rights of those required to comply with the Attorney General's policy.

45. Declaring 13 NYCRR § 91.5(c) unconstitutional as applied to charitable organizations that primarily engage in solicitation, advocacy, and informational campaigns would remedy Citizens United's and Citizens United Foundation's injury by protecting donors' privacy, preventing a concomitant decline in donations to Citizens United and Citizens United Foundation, and thereby allowing each group to spread its message of individual liberty and personal responsibility now and in the future.

THIRD CLAIM FOR RELIEF

Declaration that 13 NYCRR § 91.5(c) as Currently Interpreted by the Attorney General Violates SAPA.

46. Plaintiffs incorporate by reference the allegations set forth in paragraphs 1 through 45 as though fully set forth herein.

47. SAPA § 205 provides that "judicial review of rules may be had . . . in an action for declaratory judgment."

48. The Attorney General's current policy of requiring all charitable organizations to file Schedule B with form CHAR 500 effectively amended 13 NYCRR § 91.5(c) from the version adopted in 2006. The 2006 version of the regulation removed the prior regulation's explicit reference to Schedule B. *See* 13 NYCRR § 92.3(b)(2) (2003).

49. The Attorney General accomplished this change of policy without formally amending the 2006 version of the regulation. No notice was given, and interested parties did not have an opportunity to comment on the change.
50. SAPA mandates that any amendment to a rule requires notice-and-comment procedures to be used. SAPA §§ 102(2)(a), 202(1). Because the Attorney General did not use such procedures, the new policy requiring the filing of Schedule B is arbitrary and capricious under SAPA, and beyond the Attorney General's statutory authority, and may not be enforced against Citizens United or Citizens United Foundation.
51. Declaring 13 NYCRR § 91.5(c), as currently interpreted by the Attorney General, arbitrary and capricious or otherwise beyond statutory authority would remedy Citizens United's and Citizens United Foundation's injury by protecting donors' privacy, preventing a concomitant decline in donations to Citizens United and Citizens United Foundation, and thereby allowing each group to spread its message of individual liberty and personal responsibility now and in the future.

FOURTH CLAIM FOR RELIEF

Declaration that 13 NYCRR § 91.5(c) as Currently Interpreted by the Attorney General Is Preempted by Federal Law.

52. Plaintiffs incorporate by reference the allegations set forth in paragraphs 1 through 51 as though fully set forth herein.
53. Federal law establishes a general rule of non-disclosure of tax information. *See* 26 U.S.C. § 6103(a). It also establishes an extensive regulatory regime to govern and protect the release of tax information to parties who demonstrate a need to receive such information. *Id.* §§ 6103-6104.
54. As part of this comprehensive regulatory structure, federal law provides that the Attorney General or his designee may request necessary tax information from the

Secretary of the Treasury to assist the Attorney General in his duties “regulating the solicitation or administration of . . . charitable funds.” 26 U.S.C. § 6104(c)(3). Information obtained through this statutory mechanism is protected from disclosure by federal law. *Id.* § 6103(a)(2).

55. 13 NYCRR § 91.5(c), as currently interpreted by the Attorney General, represents an end run around the federal statutory provisions protecting donor privacy and eviscerates all privacy protections for donors. By frustrating the full effectiveness of federal law, 13 NYCRR § 91.5(c), as currently interpreted by the Attorney General, is in conflict with federal law and is therefore preempted under the Supremacy Clause of the Constitution of the United States. U.S. Const. Art. VI, cl. 2.

56. Declaring 13 NYCRR § 91.5(c), as currently interpreted by the Attorney General, preempted by federal law would remedy Citizens United’s and Citizens United Foundation’s injury by protecting donors’ privacy, preventing a concomitant decline in donations to Citizens United and Citizens United Foundation, and thereby allowing each group to spread its message of individual liberty and personal responsibility now and in the future.

FIFTH CLAIM FOR RELIEF

Injunctive Relief Against Defendant

57. Plaintiffs incorporate by reference the allegations set forth in paragraphs 1 through 56 as though fully set forth herein.

58. Under 42 U.S.C. § 1983, persons such as Defendant “who, under color of any statute, ordinance, regulation, custom, or usage of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or

immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress”

59. Defendant acts under the color of state law in his official capacity as Attorney General of New York in enforcing the provisions of 13 NYCRR § 91.5(c).

60. But for 13 NYCRR § 91.5(c)’s unconstitutional restriction on speech and due process and conflict with federal law, Citizens United and Citizens United Foundation would speak, solicit and receive contributions from numerous individuals who support its mission. It would also not be subjected to the civil penalties in N.Y. Exec. Law § 177(2)(b) or the ban on solicitation provided by N.Y. Exec. Law § 177(2)(a).

61. Citizens United and Citizens United Foundation are entitled to an injunction against enforcement of 13 NYCRR § 91.5(c), as currently interpreted by the Attorney General. An injunction would remedy Citizens United’s and Citizens United Foundation’s injury by protecting donors’ privacy, preventing a concomitant decline in donations to Citizens United and Citizens United Foundation, and thereby allowing each group to spread its message of individual liberty and personal responsibility now and in the future.

62. Neither Citizens United nor Citizens United Foundation has an adequate remedy at law.

63. N.Y. C.P.L.R. § 6301 provides that “[a] preliminary injunction may be granted in any action where it appears that the defendant threatens or is about to do, or is doing or procuring or suffering to be done, an act in violation of the plaintiff’s rights respecting the subject of the action . . . or in any action where the plaintiff has demanded and would be entitled to a judgment restraining the defendant from the commission or continuance of an act, which, if committed or continued during the pendency of the action, would produce injury to the plaintiff.”

64. But for the Attorney General's effective amendment of the requirements of 13 NYCRR § 91.5(c) without the notice-and-comment procedures mandated by SAPA §§ 102(2)(a) & 202(1), Citizens United and Citizens United Foundation would not be required to file Schedule B with the Bureau.
65. Requiring Citizens United and Citizens United Foundation to divulge their respective donors' information absent the privacy protections provided by federal law would cause donors to stop contributing to Citizens United and Citizens United Foundation, severely hampering and chilling its ability to speak now and in the future.
66. Citizens United and Citizens United Foundation are entitled to a judgment under SAPA § 205 restraining the Attorney General from enforcing 13 NYCRR § 91.5(c) as currently interpreted by him, since it was adopted without the required notice-and-comment procedures.

Prayer for Relief

WHEREFORE, Plaintiffs Citizens United and Citizens United Foundation respectfully request that this Court grant the following relief:

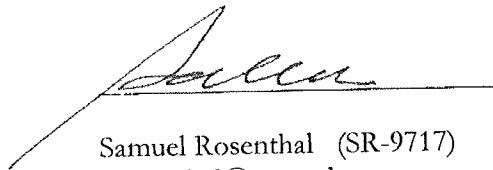
- A. A declaration that 13 NYCRR § 91.5(c), as currently interpreted by the Attorney General, is unconstitutional, preempted, arbitrary and capricious and is otherwise unlawful as applied to charitable organizations that engage in solicitation, advocacy, and informational campaigns;
- B. A declaration that N.Y. Exec. Law §§ 172-b and 177, as currently interpreted by the Attorney General, are unconstitutional and preempted as applied to charitable organizations that engage in solicitation, advocacy, and informational campaigns;
- C. Preliminary and permanent injunctions enjoining Defendant from enforcing the requirement that Plaintiffs file Schedule B on an annual basis with the Bureau and related penalties for violation of that requirement set forth in N.Y. Exec. Law §§ 172-b and 177;

D. Costs and attorneys' fees pursuant to 42 U.S.C. § 1988 or any applicable statute or authority; and

E. Such other or further relief this Court deems to be just and appropriate.

Dated: May 21, 2014

Respectfully submitted,



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EXHIBIT A

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

Citizens United, and
Citizens United Foundation,

Plaintiffs,

vs.

Eric Schneiderman, in his official
capacity as New York Attorney
General,

Defendant.

No. _____

AFFIDAVIT OF DAVID N. BOSSIE

DAVID N. BOSSIE, of full age, being first duly sworn states the following, under oath of penalty of perjury:

1. My name is David N. Bossie. I am the President of Citizens United, a non-profit organization organized under 26 U.S.C. § 501(c)(4). Unless otherwise indicated, the facts set forth below are based on personal knowledge obtained in my capacity as President of Citizens United.
2. Citizens United is a Virginia corporation with its principal place of business in Washington, D.C. Citizens United is an organization dedicated to restoring our government to citizens' control. Through a combination of education, advocacy, and grass roots organization, Citizens United seeks to reassert the traditional American values of limited government, freedom of enterprise, strong families, and national sovereignty and security. Citizens United's goal is to restore the founding fathers' vision of a free nation, guided by the honesty, common sense, and good will of its citizens.
3. I am also the President of Citizens United Foundation, a nonprofit corporation that has tax-exempt status under 26 U.S.C. § 501(c)(3). It is a Virginia corporation with its principal place of business in Washington, DC. Citizens United Foundation is dedicated to informing the American people about public policy issues which relate to traditional American values, including: the Constitution as the supreme limit on federal power; a

strong national defense as the primary role of the federal government; free enterprise as the economic system that has enabled the American people to attain and maintain an historically high standard of living; belief in God and Judeo/Christian values as the fundamental attribute of our way of life; and the recognition of the family as the basic social unit of our society. Citizens United Foundation is funded primarily by donations from individuals who support its ideological message.

4. Both Citizens United and Citizens United Foundation seek to educate the public about those issues and values discussed above, and which are central to the mission of both entities. In connection with that function and mission, both Citizens United and Citizens United Foundation produce full-length documentary films and other media, which are then broadcast to the public at large in order to educate the citizenry about issues of importance to both Citizens United and Citizens United Foundation.

5. In order to finance such media, Citizens United and Citizens United Foundation regularly depend on solicitations nationally and within New York for funds to finance such activities, and both depend heavily on their ability to continue doing so. Unfortunately, the actions of the New York Attorney General and his Charities Bureau have left Citizens United and Citizens United Foundation in an untenable position: either forgo soliciting funds and communicating within New York regarding issues of public importance, or turn over their confidential donor information.

6. Donors are informed by Citizens United and Citizens United Foundation that their identities will not be publicly disclosed, and that Federal law prohibits such public disclosure. These representations are made in connection with solicitations, and are often prompted by specific questions and concerns by donors, as well as potential donors.

7. It has been our experience from more than a quarter century of fundraising that, if individuals know that their names could become public record, they will often refuse to donate. This is because Plaintiffs use donors' funds to advocate positions on "hot button" topics such as the place of religion in America and explore the records of prominent individuals like former Senator and Secretary of State Hillary Rodham Clinton. These donors reasonably fear public backlash and financial harm should their support of politically contentious and controversial causes become publicly known.

8. Our ability to speak is completely dependent on the amount of donations Citizens United and Citizens United Foundation receive. More money donated directly equates to more speech that we are able to propagate. Thus, if donors withhold their donations because of fear of being publicly revealed, both the speech of Citizens United and Citizens United Foundation and our donors are chilled. We wish to broadcast our message supporting limited government, greater personal responsibility, and individual freedom. Lost days and opportunities to broadcast our message are impossible to replace. Our

public policy goals are national in scope; therefore, our fundraising efforts reach almost all fifty states. New York State, as a home to millions of similarly-minded individuals, is an important fundraising and broadcast venue for Citizens United and Citizens United Foundation. Both solicit *via* mail, telephone, online, and in-person. As a part of these solicitations, both also describe their respective mission, activities, and ask for support for their advocacy, education and research on issues of public concern.

9. The actions of the New York Attorney General have significantly affected the ability of Citizens United and Citizens United Foundation to raise funds needed to exercise First Amendment freedoms. For example, one potential major donor advised that he was desirous of donating, but wanted to know whether his identity would be disclosed publicly. He further advised that he wanted to know whether if he did donate, his identity would remain confidential and not be made public. He further stated that he would give only upon such assurances. The actions of the New York Attorney General have prevented Citizens United and Citizens United Foundation from offering sufficient assurances and the potential donor has not made a donation.

10. Another major donor has supported our efforts in the past, but expressed similar concerns about confidentiality, particularly since that donor lives in New York.

11. Yet another major donor, who has had a history of regularly supporting our efforts over the past decade, was aware of the New York Attorney General's new policy, and expressed concerns over it. Despite his regular and significant support in the past, that donor has not made any recent donations to either Citizens United or Citizens United Foundation.

12. Other past donors have voiced similar concerns. Such individuals are considered major donors, having given or having indicated a willingness to give in excess of \$100,000.00.

13. Based on the highly political nature of the content of media releases by Citizens United and Citizens United Foundation, many of our donors may feel that they will be targeted if they are associated with our releases and other materials.

14. Attached as Exhibits A.1 – A.4 are true and correct copies of fundraising solicitations produced by Citizens United. Included are:

- Impeach Eric Holder Appeal (Exhibit A.1)
- Dick Morris Hillary the Movie Appeal (Exhibit A.2)
- Mike Lee ObamaCare Appeal (Exhibit A.3)
- Rand Paul IRS Direct Mail Script (Exhibit A.4)

15. Attached as Exhibits A.5 – A.7 are true and correct copies of fundraising solicitations produced by Citizens United Foundation. Included are:

- Camp Pendleton Cross Appeal (Exhibit A.5)
- Gift of Life Appeal (Exhibit A.6)
- National Day of Prayer Appeal (Exhibit A.7)

16. Attached as Exhibits A.8 – A.9 are transcripts of two television advertisements than ran nationwide on cable television in 2013. Included are:

- Abolish the IRS Script (Exhibit A.8)
- Live By Your Laws Script (Exhibit A.9)

17. Attached as Exhibits A.10 – A.11 are true and correct copies of two inbound telemarketing scripts. Included are:

- Rand Paul DRTV IVR Script (Exhibit A.10)
- Senator Vitter DRTV IVR Script (Exhibit A.11)

18. Attached as Exhibits A.12 - A.13 are true and correct copies of draft fundraising scripts that Citizens United wish to send into New York, but have not due to the actions of the New York Attorney General and his Charities Bureau. Included are:

- Hillary the Sequel Script (Exhibit A.12)
- Schneiderman Overreach Script (Exhibit A.13)

I declare under penalty of perjury that the foregoing is true and correct, to the best of my information, knowledge and belief. Executed on May 19, 2014.

Date: 5/19/14

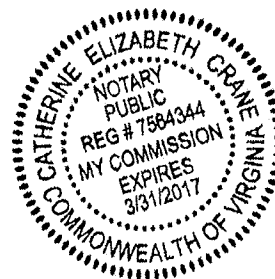
Signed: David N. Bossie
David N. Bossie

Subscribe and sworn to before me on this 19 day of May, 2014.

Notary Public

Catherine Crane Catherine Crane

My Commission expires 3/31/2017



A.1

Notice: Articles of Impeachment

Urgent Action Requested

United States Post Office Box 97307

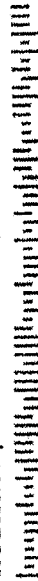
Washington, DC 20090

NOT OFFICIAL GOVERNMENT BUSINESS

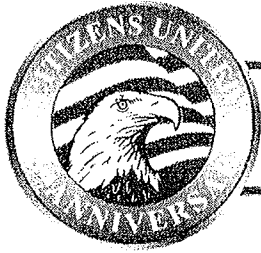
NONPROFIT
AUTO
US POSTAGE \$00.11
75¢ 2014
EFT 100574

FEB 05 2014

Mrs. H. S. Pedro
13755 Sunrise Valley Dr. Ste. 450
Herndon, VA 20171-4682



00 100-012



IMPEACH ERIC HOLDER

David N. Bossie, President

Dear law-abiding American,

I need your immediate help to fire Obama's law breaking Attorney General Eric Holder.

Specifically, I'm counting on you to sign and return your IMPEACH ERIC HOLDER Petition within the next 3 days.

Eric Holder is supposed to be our nation's top law enforcement officer -- but instead he uses his power to push Obama's radical political agenda...

...without regard for the laws HE is supposed to uphold.

As head of Obama's Department of Justice, Attorney General Holder has:

- * Covered up the truth from Congress regarding Operation Fast and Furious where Border Patrol Agent Brian Terry was slain.
Commonsense
- * Fought Voter ID laws across the country, and is suing states like Texas and North Carolina to stop them from implementing their ID laws.
- * Seized the phone and email logs of **Fox News** reporter James Rosen after Rosen reported negative stories about Obama.

We cannot stand for Holder's blatant disregard for our laws any longer.

We've given Obama long enough to get rid of Holder, but he will not act -- so now we must!

Will you help get rid of Eric Holder by sending back your IMPEACH ERIC HOLDER Petition to me within the next 3 days?

Congress needs to step up and do its duty and get rid of the most corrupt Attorney General in history.

Since Obama won't stop Holder, Congress needs to impeach him.

(Over, please)

It's just a simple majority vote in the House of Representatives to trigger a trial in the Senate. The trial would expose the entire country to Holder's corrupt law-breaking ways.

To drive our message home to your Congressman and Senators, my goal is to collect 1.2 million IMPEACH ERIC HOLDER Petitions.

I set the goal of 1.2 million Petitions because it's equal to the total number of law enforcement officers in the United States.

Obama, Congress, and the media will NOT be able to ignore our demands to IMPEACH ERIC HOLDER if we deliver one Petition for every local, state, and federal law enforcement officer in America.

As you may know, Congress already found Holder in contempt of Congress for his testimony covering up the Fast and Furious scandal...

...but of course, due to a loophole Obama's Department of Justice didn't bring charges against him.

It's just another example of top Obama officials not being held accountable. *Like the IRS scandal*

My friend, it's not just about Eric Holder's actions as Attorney General that's the problem...

His inaction as Attorney General is equally troubling:

**** Eric Holder failed to prosecute cases where confidential IRS records of conservative candidates and donors were accessed.

**** Eric Holder refused to share information on Benghazi to Congress. He only covered his own behind by dismissively responding that they've "taken steps to deal with the problem."

**** Eric Holder dismissed a voter intimidation case against the New Black Panther Party -- despite **VIDEO EVIDENCE** of club-carrying intimidation!

How many more times will Holder lie, cover-up, and protect his radical friends?

We all know Obama isn't going to stop him...

In fact, I'm sure Obama is happy with Holder's repeated abuses of power...

...since they all help Obama and his radical friends.

(Next page, please)

But we can't stand for it any longer!

So, we must force Congress to act.

→ Will you help by signing and returning your IMPEACH ERIC HOLDER Petition to me today?

My name is David Bossie and I'm President of Citizens United (CU).

If you've heard of CU, then you already know there isn't a group better at taking the fight to liberal politicians -- and winning.

When the Federal Election Commission tried to take away our right to free speech -- we fought back.

We went all the way to the Supreme Court -- AND WON.

Obama was so mad he publicly scolded the Supreme Court during his State of the Union address.

Before I became President of Citizens United I was a top Congressional Investigator during the Clinton Administration.

As an investigator I spent a lot of time digging to try and expose corrupt politicians and officials.

But Holder's abuses are right out in the open.

He doesn't even hide his actions...

He actually flaunts his blatant disregard for the law.

Which is why we can't wait another day to get rid of Eric Holder.

I honestly have no idea what he'll do next. But, I know if he keeps getting away with this blatant disregard for our law -- without consequences -- he'll just get worse.

But together we can put an end to Holder's abuse of power and force Congress to act.

In order to help me reach my goal of 1.2 million IMPEACH ERIC HOLDER Petitions I have to ask you for two favors today.

➤ Will you sign and return your IMPEACH ERIC HOLDER Petition to

(Over, please)

me within the next 3 days?

➤ Will you send a one-time urgent membership gift of \$27?

The reason I'm asking for a one-time \$27 urgent membership gift is because your gift allows me to print, mail, and collect 55 additional IMPEACH ERIC HOLDER Petitions.

This means that your \$27 gift today will allow us to get 55 additional Petitions tomorrow.

If you're able to donate \$50, \$75, \$100 or more today it will help me reach my goal of 1.2 million Petitions even faster.


It's past time to fire Eric Holder; please help by signing your IMPEACH ERIC HOLDER Petition and become a member with your one-time membership gift of \$27, \$50, \$75, \$100 or more.

With your generous help and the help of other patriots around the country we will reach my goal of 1.2 million IMPEACH ERIC HOLDER Petitions.

And when we deliver 1.2 million Petitions, Congress, Obama and the media will not be able to ignore our outrage any longer.

Thank you for reading my letter. I appreciate your time and thank you for helping me uphold our laws and preserve this great country.

Sincerely,


David N. Bossie, President
Citizens United

P.S. We must stop Eric Holder's constant and blatant disregard for the laws he's supposed to uphold.

Please help me force Congress to fire Eric Holder by signing and returning your IMPEACH ERIC HOLDER Petition in the next 3 days.

To reach my goal of 1.2 million Petitions (1 for every law enforcement officer in America) will you send a one-time urgent membership gift of \$27, \$50, \$75, \$100 or more?

Urgent Reply to: David N. Bossie

Citizens United

PO Box 97307, Washington, DC 20090-7307

Mrs. H. S. Pedro
13755 Sunrise Valley Dr. Ste. 450
Herndon, VA 20171-4682

IECD14
00054075098



Dear David,

I have read your letter, and will join you in your fight to Impeach Eric Holder. I have signed my enclosed **IMPEACH ERIC HOLDER** Petition, and am sending this one-time urgent membership gift of:

☐ \$27 ☐ \$50 ☐ \$100 ☐ \$250 ☐ Other_____

To donate via credit card please fill out the form on the back.

*The first \$15 of your annual support will be applied to Citizens United membership dues.

IMPEACH ERIC HOLDER

Be it Known, This day, that a legal American Citizen, by signing below, wishes to speak on a matter of great importance to our country.

Whereas, Attorney General Eric Holder has shown a constant and blatant disregard for the laws he's supposed to uphold as our nation's top law enforcement officer,

Whereas, Eric Holder uses his power to relentlessly push Obama's radical political agenda and makes decisions based on politics instead of legal reasoning,

And Therefore, I demand that the House of Representatives **introduces** and **approves** Articles of Impeachment against Eric Holder as Attorney General.

Name: _____ Signature: _____

If you would like to give using the convenience of your credit card, please fill in the information requested below:

Type of Card: ☐ VISA ☐ AMERICAN EXPRESS ☐ MASTER CARD

Card Number: _____

Card Expiration Date: (mo/yr) _____

Name that appears on card: _____

Your Signature: _____

For additional information regarding Citizens United's latest legislative updates please go to: www.citizensunited.org or to sign-up for our e-mail alerts please fill in your e-mail address:

_____ @ _____

☐ I'd like to learn more about planned giving and Citizens United's Legacy Society.

Information concerning Citizens United's registration and financial information can be obtained from the following: Florida Division of Consumer Services by calling within the state 1-800-help-fla, CU's registration no. is SC-09991, 100% of contributions are received by the organization; Mississippi Secretary of State's Office by calling 1-888-236-6167; Attorney General of the State of New Jersey by calling 973-504-6215; New York State Attorney General, Charities Bureau, 120 Broadway, New York, NY 10271; North Carolina Department of the Secretary of State, solicitation licensing section, 919-807-2214; Pennsylvania Department of State, or by calling, from within Pennsylvania, 800-732-0999; Virginia Division of Consumer Affairs; Secretary of State (State of Washington) by calling 1-800-332-4483; West Virginia Secretary of State, State Capitol, Charleston, VA 24305; or by contacting Citizens United at 1006 Pennsylvania Avenue SE, Washington, DC 20003. Registration with a government agency does not imply endorsement by that agency. First \$15 of your gift goes towards membership dues.

ENCLOSED:

- ☐ Signed "IMPEACH ERIC HOLDER" Petition
- ☐ One-time urgent gift



Attn:
Citizens United
PO Box 97307
Washington, DC 20090-7307

IEC02WM

A.2

DICK MORRIS

c/o Citizens United
1006 Pennsylvania Avenue, SE
Washington, DC 20003

I saw the dark side of Hillary Clinton when I was a member
of the Clinton White House.

8107 9 0 AONT

That's why I want to send you a copy of the ONLY
DOCUMENTARY FILM in America that will show you just how
vicious, ruthless, and dangerous this woman really is!

Mrs. H. S. Pedro
13755 Sunrise Valley Dr. Ste. 450
Herndon, VA 20171-4682



POSTER
018-05504233
7023171 \$00.141

RECEIVED



"The U.S. is ready to accept a woman president..."
-- ABC NEWS

W Duxpns



From the Office of
Dick Morris

Dear Fellow American,

I know personally how dangerous, devious, and dishonest Hillary Clinton really is.

Because I worked in the Clinton White House and witnessed firsthand Hillary's vicious temper... her hatred of our military... and her left-wing, anti-family agenda.

And I am outraged that the national news media are whitewashing Hillary's record in order to make Americans forget about her scandalous past!

That's why I'm personally inviting you to join me and Citizens United in distributing the only film in America that documents Hillary Clinton's legacy of lies and corruption.

With the biased media portraying Hillary as a "moderate" who's strong on national security, this film campaign is our only opportunity to reach millions of Americans with the truth about Hillary Clinton's left-wing agenda and weak track record on national defense.

Hillary Clinton is more powerful now than ever before.

ABC News reports, "it's a done deal" she will be a 2016 presidential candidate.

And even MSNBC's Chris Matthews is offering to help her campaign right away saying: "We know how to do this, we'll get you in there."

That's why I am counting on you to take just 30 seconds to let me know on the enclosed RSVP if you will accept my invitation to join Citizens United's documentary film campaign and expose Hillary for the power-hungry socialist she really is.

Don't let the biased liberal media fool you:

**** According to the media, Hillary says abortion is "sad, even tragic." Yet she voted to keep the gruesome**

Citizens United
1006 Pennsylvania Avenue SW, Washington, DC 20003
www.citizensunited.org * (800) 362-4788 (Toll Free)

partial-birth abortion procedure legal.

** According to the media, she is "adamantly against illegal immigrants." Yet she supports giving U.S. driver's licenses to illegal aliens.

** And according to the media, Hillary is "in the middle on values issues." Yet she had one of the six most liberal voting records in the U.S. Senate

The national news media want you to think Hillary Clinton has changed her spots and is now just a "middle-of-the-road" politician with your best interests at heart.

But I know better.

Remember, I've personally known Hillary Clinton for more than 20 years.

I was inside the Clinton White House during private meetings between Bill and Hillary.

And I know that she is ruthless, vindictive, intolerant, and as close to a socialist as we have in America.

I watched her scream at Bill Clinton to "get our troops out of Somalia!" instead of standing up to the African war lords who murdered 19 of our U.S. soldiers.

I watched her kill a proposal to let the Attorney General publish a list of so-called charitable groups in the U.S. who were actually giving money to known terrorists.

And I watched her plot to take control of your private health care through her outrageous "socialized medicine" scheme.

No matter what her adoring fans in the liberal biased media say, I know that Hillary Clinton is a power-hungry, far-left liberal who wants to turn America into European-style socialist nation.

Remember, this is a woman who once said, "I don't see how someone could be a Christian and a Republican at the same time."

A woman who doesn't think you're taxed enough.

A woman who has lied about her role in every White House

scandal, including firing the White House travel office, Whitewater, Monica Lewinsky, Paula Jones, and more.

And unfortunately, a woman so beloved by the biased news media that they will print and say anything they can to make the average American forget how dangerous Hillary Clinton really is.

That's why I am writing you today on behalf of Citizens United.

If you've heard of Citizens United (CU), then you know that for 25 years they have been fighting to restore our bloated and corrupt federal government to citizen control.

Through nationwide TV commercials, petition campaigns, rallies in Washington, DC, and the publication of blockbuster documentaries, CU is the Capitol Hill watch dog you can count on to guard your family's values and our national sovereignty.

In 2004, CU spent more than one million dollars to produce the only film in America that refuted John Kerry's lies about President Bush and the War on Terror.

Since then they've produced critical documentaries exposing the corrupt United Nations... the anti-American agenda of the left-wing ACLU... and the massive security breaches caused by illegal immigration from Mexico.

Now I am begging Citizens United to distribute their crucial documentary film to expose Hillary Rodham Clinton.

My friend, will you help us refute the liberal media's lies about Hillary Clinton by accepting my invitation to support CU's documentary film campaign today?

Just a simple YES or NO on the enclosed RSVP is all I ask.

And if your answer is YES, then please consider how quickly you can help us get this film distributed in theaters by sending a vital membership gift of \$25, \$35, \$50, \$75, \$100 or even \$500 or \$1,000 to fund our documentary campaign.

Remember, Hillary Clinton will be calling on her Hollywood friend like Martin Sheen, Ted Turner, and Barbra Streisand to help fund her publicity machine.

But CU must rely on patriotic Americans like you to step

up to the plate and expose this dangerous woman before she gains more power than ever before.

If you don't want the national news media fooling millions of U.S. citizens into thinking that Hillary Clinton has changed her spots, would you please consider making a contribution of \$75, \$100, or even \$500 to CU today?

I know that is a large request, but just consider what is at stake: Hillary Clinton slashing our national security and protecting the "rights" of terrorists while our nation is left a sitting duck for the next attack!

Make no mistake: I know the real Hillary Clinton.

I was there in the White House for eight years while she schemed and plotted her way into taking control over you and your family -- when she wasn't even an elected official!

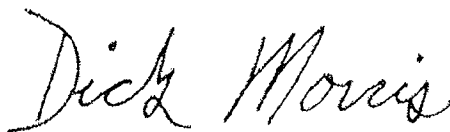
Now it's up to you and me to tell the truth about her corruption, her lies, and her soft-on-terror agenda.

In this age of world-wide terrorism, you and I can't afford to let Hillary Clinton gain even more power than she already has.

If you agree, won't you please send \$35, \$50, \$75, or even more today to help me get this crucial film distributed and in theaters -- and expose the real Hillary Rodham Clinton?

Thank you!

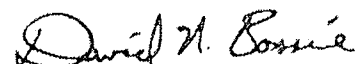
Sincerely,



Dick Morris

P.S. Hillary Clinton is counting on the liberal biased media to fool millions of Americans into forgetting all about her lies, scandals, and soft-on-terror agenda. And that means I'm counting on you to accept my invitation and support our vital "Expose the Real Hillary Clinton" documentary film campaign today!

*As a special thank you -- for a gift of \$35 or more I will send you a personal DVD copy of "Hillary: The Movie."



OFFICIAL RSVP TO:

CITIZEN'S UNITED

1006 PENNSYLVANIA AVE. SE, WASHINGTON DC 20003
800-362-4788 (TOLL-FREE) : WWW.CITIZENSUNITED.ORG

ATTENTION: DICK MORRIS

(YES! I want to help refute the biased media's portrayal of "Hillary Clinton the Moderate" so that Americans remember her REAL legacy of lies, corruption, and left-wing politics. To help distribute this critical film and get it into national theaters, I am rushing my membership check payable to "CITIZENS UNITED" in the amount of:

- () \$1,000: to help distribute the film before the 2016 presidential primaries.
 () \$500: to help put the film on television.
 () \$250: to help distribute 25 copies of the documentary.
 () \$100: to help fund broadcast advertising placement.
 () \$50: to help fund marketing and distribution.
 () \$35: I'm sending \$35. Please use it where it's needed most for the film campaign.
 () **Other:** Every gift is appreciated. Thank you!

() I would prefer to give by credit card: VISA MasterCard American Express

Name on Card _____ Exp. Date ____/____/____

Exp. Date / /

Card # _____	Amount \$ _____
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Amount \$:

Signature _____

**The first \$15 of your annual support will be applied to Citizens United dues.*

() NO. I cannot support your film campaign to expose Hillary Clinton's true agenda of socialism, lies, and corruption.

Name: _____ Email: _____

Email:

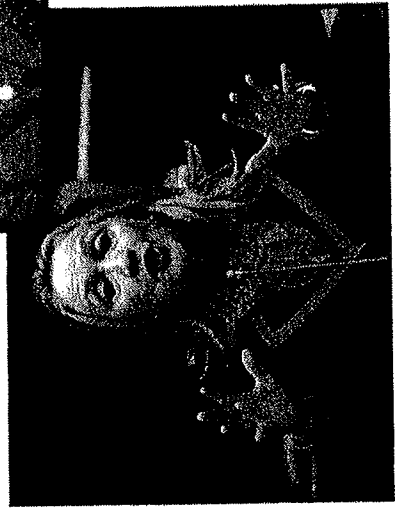
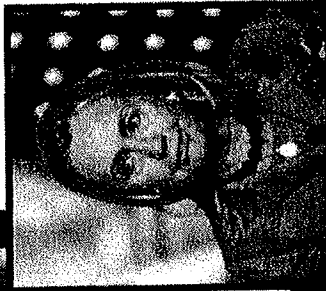
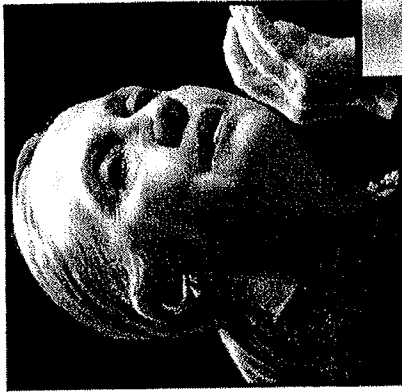
Address: _____

City, ST Zip: Information concerning Citizens' registration and financial information can be obtained from the following: Florida Division of Consumer Services by calling within the state 1-800-help-fla, 100% of contributions are received by the organization; Mississippi Secretary of State's Office by calling 1-888-236-6167; Attorney General of the State of New Jersey by calling 973-504-6215; New York State Attorney General, Charities Bureau, 120 Broadway, New York, NY 10271; North Carolina Department of the Secretary of State, solicitation licensing section, 919-807-2214; Pennsylvania Department of State, or by calling, from within Pennsylvania, 800-732-6999; Virginia Division of Consumer Affairs, Secretary of State (State of Washington) by calling 1-800-352-4483; West Virginia Secretary of State, State Capitol, Charleston, VA 24303; or by contacting Citizens United (1006 Pennsylvania Ave., SE, Washington, D.C. 20003). Registration with a government agency does not imply endorsement by that agency. Contributions are not tax-deductible. DNX05WMM

The REAL Hillary Clinton: A Legacy of Lies and Corruption

"I don't see how anyone could be a Republican and a Christian."

- Hillary Clinton



PLACE
STAMP
HERE

Attention : Dick Morris

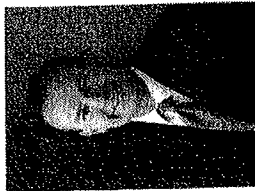
CITIZENS UNITED

PO BOX 97307

WASHINGTON, DC 20090-7307

DMX05WM

A.3



Mike Lee
U.S. Senator

200

Mrs. H. S. Pedro
13755 Sunrise Valley Dr. Ste. 450
Herndon, VA 20171-4682

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SECRET

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From the desk of...

Mike Lee

United States Senator

Republican ~ Utah

Dear Fellow Concerned American,

I was proud to take a stand with my friend, Senator Ted Cruz, and bring public attention to the health care debate during the historic 21+ hour "ObamaCare filibuster."

But that was only the beginning. Today I desperately need your help to stop ObamaCare dead in its tracks.

Specifically, I'm counting on you to sign and return the enclosed **STOP OBAMACARE** immediate action petition.

You and I already know, ObamaCare is unaffordable and unfair... and it's getting worse all the time. The country is now starting see why I have been fighting so hard to stop this train-wreck of a law before it harms even more Americans.

Your signed Petition will help me put my colleagues in Congress on notice that it is time to stand with the majority of Americans who oppose the job-killing ObamaCare law.

Right now, Barack Obama's policy is to fine any American who does not buy a product that his bungled website will not sell them.

Worse yet, Obama lied when he said "If You Like Your Doctor, You Can Keep Your Doctor."

Every week thousands of Americans get letters from their insurance companies, announcing their suspension of coverage, or shocking price increases.

Because of ObamaCare, hardworking Americans are losing their jobs, wages, and hours.

And yet President Obama went ahead and exempted his political backers and Washington cronies from this law, but not ordinary Americans.

WE MUST TAKE A STAND TODAY AND STOP OBAMACARE!

[Over, please]

PO BOX 97307 WASHINGTON, DC 20090
(800) 362-4788 (Toll Free)



WWW.CITIZENSUNITED.ORG

Page 2 of letter from Senator Mike Lee

So please, sign your **STOP OBAMACARE** immediate action petition today and return it to me using the enclosed pre-addressed reply envelope within the next 48 hours.

ObamaCare poses very serious threats to our constitutional system, to the relationship between Washington and the states, to individual liberty and conscience rights, to the strength of our economy, and to the quality of our healthcare system.

Which means as conservatives, you and I must *fight* even harder to stop ObamaCare right now before its too late.

Since I am willing to "rock the boat" and bluntly speak out against Obama's attempts to force government intrusion into our lives, many members of the establishment are very unhappy with me.

The Washington establishment of both parties can publically scold me all they want --- I take it as a badge of honor.

Because I know... if Congress allows ObamaCare to continue... you and millions of hardworking Americans could lose access to your doctors and be forced to pay higher premiums and higher taxes.

Will you join me in this urgent fight by signing and returning your **STOP OBAMACARE** immediate action petition within the next 48 hours?

I hope that I can count on your help.

This could likely be our last chance to STOP OBAMACARE before it takes hold for good.

As the great Ronald Reagan once said, *"The nearest thing to eternal life we will ever see on this earth is a government program."*

If we fail to **STOP OBAMACARE** now, while we still have the momentum on our side... I fear it will be forced upon us forever.

Please sign and return your **STOP OBAMACARE** immediate action petition within the next 48 hours.

We are only a couple of weeks into ObamaCare and we're already seeing a massive shift from full-time to part-time employment.

Employers are being forced to move their existing employees,

Page 3 of letter from Senator Mike Lee

along with any new positions created, to part-time status in order to avoid the huge mandatory insurance fees that are a part of ObamaCare.

And it's not Fortune 500 level CEOs who will be most hurt by ObamaCare...

...it's the hard-working "Mom & Pop" shops, young families just getting started, and single parents just trying to make ends meet that are being hit the hardest.

That's why it's evermore imperative that conservatives support the effort to **STOP OBAMACARE** right now!

Today is the day we draw a line in the sand!!

Separating rock-solid conservatives like you and me from those in Congress who only "talk the talk" in election years but who never "walk the walk" of a principled conservative after getting to Washington.

With your signed **STOP OBAMACARE** immediate action petition in my hand I will lobby your elected Senators and Congressman to join me in ending ObamaCare and restoring sanity to our health care system. We have to show them that there are real reforms and solid solutions for America's healthcare.

So please don't delay --- sign and return your **STOP OBAMACARE** immediate action petition within the next 48 hours.

I am proud to spearhead this Petition Drive with my good friend David Bossie and his team at Citizens United.

Citizens United has been in the trenches fighting to preserve our conservative fiscal values for over 25 years.

Together we aim to collect 2 million **STOP OBAMACARE** immediate action petitions.

That won't be easy and it won't be cheap.

But when 2 million taxpayers demand that Congress **STOP OBAMACARE** right before the midterm elections - you better believe we'll finally see some action in Washington, DC.

That's why I hope you can return your signed **STOP OBAMACARE** immediate action petition and join Citizens United with a generous membership gift of \$25, \$50, \$75, or even \$100.

Your signed Petition and membership gift of at least \$25 are

Page 4 of letter from Senator Mike Lee

BOTH crucial to our efforts at collecting 2 million signed Petitions.

And if you can stretch and increase your gift to \$250 or even \$500 we will be so grateful.

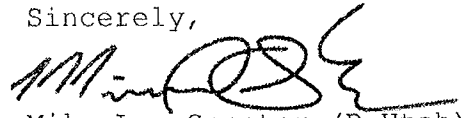
Whatever gift you decide to send with your **STOP OBAMACARE** immediate action petition, what's most important is that you return your signed Petition and gift in the next 48 hours.

Time is of the essence - with important votes looming on the budget and future of our health care - we must act quickly.

Thank you for your dedication to America's future.

I know that together we can turn the tide in Washington and restore some common sense to the health care debate.

Sincerely,



Mike Lee Senator (R-Utah)

P.S. Are you sick and tired of career politicians who only say what they think you want to hear because an election is right around the corner?

If so, you're exactly the kind of person I'm looking for. Because when it comes to the urgent fight to **STOP OBAMACARE** I've proudly bucked the establishment and stood with Ted Cruz to defeat ObamaCare!

Right now, in the halls of Congress we conservatives have **our best chance** to end ObamaCare before it takes hold for good.

If we fail to **STOP OBAMACARE** now, while we still have the momentum on our side... I fear it will be forced upon us forever.

P.P.S. Together we can make sure your elected Senators and Congressman join Ted Cruz and me in voting to end ObamaCare and restore sanity to our health care system.

So please, sign your **STOP OBAMACARE** immediate action petition and help Citizens United make a big impact with your most generous membership gift of \$25, \$50, \$100, \$250, \$500 or even \$1,000 in the next 48 hours.

URGENT PERSONAL REPLY TO: SENATOR MIKE LEE

c/o Citizens United Post Office Box 97307 Washington, DC 20090-7307

Mrs. H. S. Pedro
13755 Sunrise Valley Dr. Ste. 450
Herndon, VA 20171-4682



LEE001

00047753160

Dear Senator Lee,

___ YES! I want to help you convince your colleagues in Congress to STOP OBAMACARE right away. That's why I've signed my immediate action petition below.

___ YES! I want to generously support Citizens United with all their important work fighting Obama's attempts to force government intrusion into our lives. That's why I've enclosed my very best membership gift made payable to "CITIZENS UNITED" in the amount of:

() \$25 () \$35 () \$50 () \$100
() \$250 () \$500 () \$1,000
() \$2,500 () \$5,000 () \$_____ Other

THE FIRST \$15 OF YOUR ANNUAL SUPPORT GOES TOWARD CU MEMBERSHIP DUES. TO CONTRIBUTE USING A CREDIT CARD PLEASE COMPLETE THE FORM ON THE REVERSE SIDE OF THIS PAGE.

STOP OBAMACARE *An immediate action petition to the United States Congress*

Whereas; the overwhelming majority of Americans opposed ObamaCare before the law was even passed; and

Whereas; ObamaCare is hurting businesses, middle class families, and the economy; and

Whereas; Obama lied when he said, "If You Like Your Doctor, You Can Keep Your Doctor;" and

Whereas; every week thousands of Americans get letters from their insurance companies, announcing their suspension of coverage, or shocking price increases; and

Whereas; hardworking Americans are losing their jobs, wages, and hours; and

Therefore; as an American taxpayer, I demand every member of the House and Senate vote to end ObamaCare and restore sanity to our health care system.

Signed: _____ City/State: _____

CREDIT CARD CONTRIBUTION FORM		
Type of Card:	() VISA	() MasterCard () Discover
Amount of Contribution:	\$ _____	
Card Number:	_____	Exp. Date: ____ / ____
Name on Card:	_____	
Signature:	_____	

For additional information regarding Citizens United's latest legislative updates please go to:
www.citizensunited.org

Or to sign-up for our e-mail alerts please fill in your e-mail address:

_____@_____

____ *I'd like to learn more about planned giving and Citizens United's Legacy Society.*

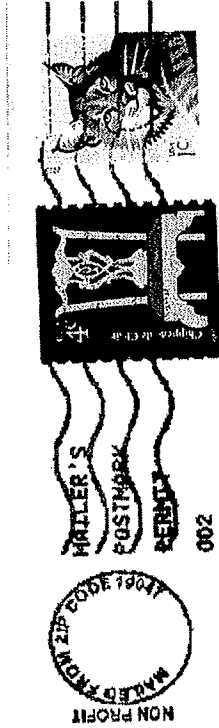
Information concerning Citizens United's registration and financial information can be obtained from the following: Florida Division of Consumer Services by calling within the state 1-800-help-fla, CU's registration no. is SC-09991, 100% of contributions are received by the organization; Mississippi Secretary of State's Office by calling 1-888-236-6167; Attorney General of the State of New Jersey by calling 973-504-6215; New York State Attorney General, Charities Bureau, 120 Broadway, New York, NY 10271; North Carolina Department of the Secretary of State, solicitation licensing section, 919-807-2214; Pennsylvania Department of State, or by calling, from within Pennsylvania, 800-732-0999; Virginia Division of Consumer Affairs; Secretary of State (State of Washington) by calling 1-800-332-4483; West Virginia Secretary of State, State Capitol, Charleston, VA 24305; or by contacting Citizens United at 1006 Pennsylvania Avenue SE, Washington, DC 20003. Registration with a government agency does not imply endorsement by that agency. First \$15 of your gift goes towards membership dues. Contributions are not tax-deductible.

Place
Stamp
Here

YES! I will help you stop ObamaCare!

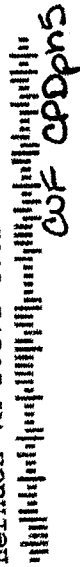
Attn: SEN. MIKE LEE
Citizens United
P.O. Box 97307
Washington, DC 20090-7307

LEE1WM



Next Step: Waiting to hear if
they will sue!

Mrs. H. S. Pedro
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Herndon VA 20171-4682



MAR 10 2014